

SENATE BILL 1927

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to physical education.

WHEREAS, physical inactivity and poor diet together account for at least three hundred thousand (300,000) deaths among adults in the United States each year; and

WHEREAS, inadequate participation in physical activity is a major contributor to the epidemic of obesity that has plagued the nation's young people during the past two (2) decades; and

WHEREAS, physical activity offers young people many health benefits, including improving aerobic endurance and muscular strength, helping to control weight, build lean muscle, and reduce fat, helping to build greater bone mass, which prevents osteoporosis in adulthood, and prevents or reduces high blood pressure; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding Sections 2 through 11 of this act as a new, appropriately designated part.

SECTION 2. This part shall be known and may be cited as the "Physical Education in Schools Act".

SECTION 3. Every student, including students with disabling conditions and those in alternative education programs, in grades kindergarten through eight (K-8) shall participate in daily physical education for the entire school year. Elementary school students shall participate in physical education for at least one hundred fifty (150) minutes during each school week. Middle school students shall participate in physical education for at least two hundred twenty-five (225) minutes during each school week.

SECTION 4. Schools shall establish specific learning goals and objectives for physical education. A sequential, developmentally appropriate curriculum shall be designed, implemented, and evaluated to help students develop the knowledge, motor skills, self-management skills, attitudes, and confidence needed to adopt and maintain physical activity throughout their lives. The physical activity program shall:

- (1) Emphasize knowledge and skills for a lifetime of regular physical activity;
- (2) Be consistent with state standards for physical education and with national standards that define what students should know and be able to do;
- (3) Devote at least fifty percent (50%) of class time to actual physical activity in each week, with as much time as possible spent in moderate physical activity;
- (4) Provide many different physical activity choices;
- (5) Feature cooperative as well as competitive games;
- (6) Meet the needs of all students, especially those who are not athletically gifted;
- (7) Take into account gender and cultural differences in students' interests;
- (8) Teach self-management skills as well as movement skills;
- (9) Actively teach cooperation, fair play, and responsible participation in physical activity;
- (10) Have student-to-teacher ratios comparable to those in other curricular areas;
- (11) Promote participation in physical activity outside of school; and
- (12) Be an enjoyable experience for students.

SECTION 5. Suitably adapted physical education shall be included as a part of individual education plans for students with chronic health problems, other disabling conditions, or other special needs that preclude such students' participation in regular physical education instruction or activities.

SECTION 6. All students shall be regularly assessed for attainment of physical education learning objectives.

SECTION 7. Health-related fitness testing shall be integrated into the curriculum as an instructional tool, except in the early elementary grades. Tests shall be appropriate to students' developmental levels and physical abilities. Such testing shall be used to teach students how to assess their fitness levels, set goals for improvement, and monitor progress in reaching their goals.

SECTION 8. Physical education teaches students essential knowledge and skills; for this reason, exemptions for physical education courses shall not be permitted on the basis of participation on an athletic team, community recreation program, JROTC, marching band, or other school or community activity. A student may be excused if a physician states in writing that physical activity will jeopardize the student's health and well-being or a parent or guardian requests an exemption on religious grounds.

SECTION 9. Physical education shall be taught by well-prepared specialists who are certified by the state to teach physical education. All physical education teachers shall be adequately prepared and regularly participate in professional development activities to effectively deliver the physical education program.

SECTION 10. School leaders shall endeavor to ensure the cost-efficient provision of adequate spaces, facilities, equipment, supplies, and operational budgets that are necessary to achieve the objectives of the physical education program.

SECTION 11. The physical education program shall be closely coordinated with other components of the overall school health program. In particular, the benefits of being physically active shall be linked with instruction about human growth, development, and physiology in science classes and with instruction about personal health behaviors in health classes.

SECTION 12. Each LEA shall annually file a report verifying that the requirements of this part have been met in each school or identifying any schools that are not in compliance. The report shall also summarize the physical education programs provided by the LEA's schools and provide such other information as the department may request. The report shall be filed by such date as the department shall specify with the department's physical education specialist employed pursuant to § 49-6-1022(b). The physical education specialist shall evaluate the reports, make recommendations to LEAs, as necessary, for the improvement of physical education programs and inform the commissioner of any school not meeting the requirements of this part. The commissioner shall require that any such school include in its school improvement plan under § 49-1-613 specific plans and goals for compliance.

SECTION 13. This act shall take effect July 1, 2009, the public welfare requiring it.